

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JUN 24 1998

Nathan L Goetz, President
Goetz Broadcasting Corp.
200 Mermaids Bight
Naples, FL 34103

Dear Mr. Goetz:

This is in response to your letter of June 15, 1998, to John Melone, Director of the National Program Chemicals Division in which you ask whether it is permissible to sell radio transmitters that contain sealed small capacitors. You state in your letter that you are selling your broadcast company and the transmitters which contain the capacitors are housed in the buildings which are to be transferred to the new owner as part of the sale. You state further that the capacitors will stay in the same location in which they are now located.

In accordance with 40 CFR 761.20(c)(1) of the PCB regulations, PCBs at concentrations of 50 ppm or greater sold before July 1, 1979 for purposes other than resale may be distributed in commerce (i.e., sold) only in a totally enclosed manner after that date. This means that if the capacitors were originally bought for use and not resale prior to July 1, 1979 and are currently in a totally enclosed condition, (i.e., not leaking), they may be sold today. Therefore, the sale you describe above is permissible under the PCB regulations.

If you have any further questions or comments, you may contact Tom Simons of my staff at 202-260-3991.

Tony Baney, Chief
Fibers and Organics Branch

T Simons/OPPT-NPCD-FOB/06-24-98/7404/260-3991/Rm.E835H/Disk#11 A:\GOETZ.CAPS
FILES:NPCD/FOB CHRON READING/SUBJECT: distribution in commerce / sale / capacitors

CONCURRENCES

SYMBOL	7404	7404						
SURNAME	Simons	Baney						
DATE	6/24/98	6/24/98						

EPA Form 1320-1A (1/90)

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GOETZ
BROADCASTING
CORPORATION

FOB

June 15, 1998

Nathan L. Goetz
President

Mr. John Malone, Director
National Program Chemical Div. (7404)
401 M Street, SW
Washington, DC 20460

Dear Mr. Malone:

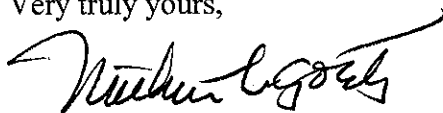
Our broadcast company is being sold. We have a number of radio transmitters that contain PCBs in the form of sealed capacitors. We have no transformers containing this material.

We own the transmitters and the buildings in which they are housed. The buyers have been notified that the transmitters contain PCBs. We have also notified the fire control people of the location of these units.

Our question is it permissible to transfer these transmitters to the buyers? The units will stay in the same location as they now are located. We would be grateful for information on our responsibility in this transaction.

Thank you.

Very truly yours,



Nathan L. Goetz

200 MERMAIDS BIGHT

NAPLES

FLORIDA

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